

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

DANIEL BRYAN KELLY,)
)
Plaintiff,)
) CIVIL ACTION NO.
v.) 2:05cv1150-MHT
)
RICKY OWENS, etc., et al.,)
)
Defendants.)

ORDER

After an independent and de novo review of the record, it is ORDERED as follows:

- (1) Plaintiff's objections (doc. no. 70) are overruled.
- (2) The recommendation of the United States Magistrate Judge (doc. no. 67) is adopted.
- (3) The motion to dismiss (doc. no. 45) is granted.
- (4) Defendant Coosa County Commission is dismissed.

(5) This cause is referred back to the magistrate judge for further appropriate proceedings with regard to the remaining defendants.

DONE, this the 28th day of November, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE